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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/543,011	04/04/2000	Kiyoshi Washino	AIA-117	5710
7590	08/14/2002			
Monica Millner Rader Fishman & Grauer PLLC 1233 20th Street NW Suite 501 Washington, DC 20036			EXAMINER	DINH, TUAN T
			ART UNIT	PAPER NUMBER
			2827	

DATE MAILED: 08/14/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

	<b>Application No.</b>	<b>Applicant(s)</b>
	09/543,011	WASHINO ET AL.
	<b>Examiner</b>	<b>Art Unit</b>
	Tuan T Dinh	2827

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

1) Responsive to communication(s) filed on 13 June 2002.

2a) This action is FINAL.                  2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

4) Claim(s) 1,2,4,5,7-12,14,15,17-26 and 28-30 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1,2,4,5,7-12,14,15,17-26 and 28-30 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some \* c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ .
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .	6) <input type="checkbox"/> Other: _____ .

## DETAILED ACTION

1. The request filed on 6/13/02 for a Request for Continued Examination (RCE) under 37 CFR 1.53(d) based on parent Application No. 09/543,011 is acceptable and a RCE has been established. An action on the RCE follows.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

3. Claims 1, 4-5, 7-10, 21, 25, and 28-30 are rejected under 35 U.S.C. 102(e) as being anticipated by Omoda et al. (U. S. Patent 5,994,769).

Regarding claims 1 and 25, Omoda discloses a frame kit for an IC card (1-figure 1, column 7, lines 42-43) as shown in figures 1-22 comprising:

a general U-shaped frame (2, column 7, line 44) facilitated from an injection molding material (plastic frame 2 which is a final product from injection molding material) and having an inner wall (2c, 2d-figure 1) defining an internal; a first panel (6, column 8, line 24) facilitated from metal material and including a L-shaped locking member (column 8, line 25) having a hanging portion (6a, column 8, line 24) and a locking claw portion (6c, column 8, line 29) with the hanging portion and a

near of locking claw portion embedded and held in the frame (see figure 5) to connect the first panel to the frame (see figure 6), where a front engagement of the locking claw portion projection out from the linear, where a front segment of the locking claw portion project out form the inner wall and into the internal space (see figures 5-7); and a second panel (7, column 8, line 20) facilitated from metal material and having an engaging locking member (7a, column 8, lines 39-40) having an engaging hole (7h, column 8, line 46) which is engageable with the front segment of the locking claw portion (6c) to connect the second panel to the frame.

Regarding claim 4, Omoda discloses the frame kit as shown in figures 1-22 wherein the engaging locking member (7a) is formed as an integral conduction with the second panel (7-see figure 4), moves angularly relative thereto in a resilient biased manner from a position perpendicular to the second panel (element 7a having projections 7c perpendicular to the second panel 7, see figure 4).

Regarding claims 5 and 28, Omoda discloses the frame kit as shown in figure 7 wherein edges of the first panel (6) and the second panel (7) are contained in the frame (2) or in an internal space of the frame.

Regarding claims 7 and 29, Omoda discloses the frame kit as shown in figures 7-8 wherein the frame (2) has an outer surface (2a) expressed toward an outside of the IC card to form a side surface in a direction in which the IC card is inserted.

Regarding claims 8 and 30, Omoda discloses the frame kit as shown in figures 1, 2, and 11 wherein an erroneous insertion preventing key (connector 5) for preventing the IC card from being inserted in a wrong posture into an IC card slot (not shown) is

formed on the outer surface of the frame. The first panel is integrated with the frame in a state where an area where the erroneous insertion-preventing key is formed is ensured.

Regarding claims 9-10, Omoda discloses the frame kit as shown in figures 1-22 wherein the second panel has a positioning member (7c-figure 4), which is elastically abutted against the inner wall of the frame for positioning the second panel with respect to the frame (column 9, lines 37-47, column 10, lines 1-15).

Regarding claim 21, Omoda discloses the frame kit as shown in figures 1 wherein the erroneous insertion key has a width that differs along an outer surface of the frame.

#### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 11, 14-15, 17-20, and 22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Omoda et al. (U. S. Patent 5,994,769)

Regarding claims 11, and 23-24, Omoda discloses an IC card (1) as shown in figures 1-22 comprising:

a frame (2) facilitated from an injection molding material and having an inner wall (2c, 2d) defining an internal space of the IC card;

a first panel (6) facilitated from metal material and having a L-shaped locking member (see figure 3) having hanging portion (6a) and a locking claw portion (6c) forming the L-shaped with the hanging portion and a rear segment of the locking claw portion being embedded and held in the frame to correct the internal space from the inner wall of the frame;

a second panel (7) facilitated from metal material and having an engaging locking member (7a) having an engaging hole (7h) which is engageable with the front segment of the locking claw portion inside the frame; and

a circuit board assembly (8) conducted by mounting a connector (5) on a circuit board (3), the circuit board assembly being contact between the first panel and the second panel (see figures 7-8).

Omada does not disclose the engaging locking member comprising a guiding portion that extends obliquely toward the internal space;

It would have been obvious to one having ordinary skill in the art at the time the invention was made to use the guide portion extending obliquely as taught by Cox in order to protect a circuit board against abnormal vibration or shock.

Regarding claim 14, Omada discloses the IC card as shown in figures 1-22 wherein the engaging locking member (7a-figure 4) is formed as an integral construction with the second panel (7), moves angularly relative thereto in a resilient biased manner from a position perpendicular to the second panel (element 7a having projections 7c perpendicular to the second panel 7, see figure 4).

Regarding claim 15, Omoda disclose the IC card as shown in figures 1-22 wherein edges of the first panel (6) and the second panel (7) are contained in the frame (2) or in an internal space of the frame.

Regarding claim 17, Omoda discloses the IC card as shown in figures 7-8 wherein the frame has an outer surface (2a) expressed toward an outside of the IC card (1) to form a side surface in a direction in which the IC card is inserted.

Regarding claim 18, Omoda discloses the IC card as shown in figures 1, 2, and 11 wherein an erroneous insertion preventing key (connector 5 which is a connection of an IC card to a IC card slot) for preventing the IC card from being inserted in a wrong posture unto an IC card slot is formed on the outer surface of the frame. The first panel is integrated with the frame in a state where an area where the erroneous insertion-preventing key is formed is ensured.

Regarding claims 19 and 20, Omoda discloses the IC card as shown in figures 1-22 the second panel has a positioning member (7c-figure 4), which is elastically abutted against the inner wall of the frame fro positioning the second panel with respect to the frame.

Regarding claim 22, Omoda discloses the frame kit as shown in figures 1 wherein the erroneous insertion key has a width that differs along an outer surface of the frame.

6. Claims 2, 12, and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Omoda et al. (U. S. Patent 5,994,769) in view of Cox et al. (U. S. Patent 6,191,950).

Art Unit: 2827

Regarding claims 2, 12, and 26, Omoda does not disclose the first panel is integrated with the frame by simultaneous molding.

Cox shows a first panel is integrated with a frame by simultaneous molding (column 2, lines 5-8).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have a panel integrated with a frame by simultaneous molding as taught by Cox to employ the frame kit of Omoda in order to provide a good durability and less time when an IC card being facilitated assembly.

### ***Response to Arguments***

7. Applicant's arguments with respect to claims 1-2, 4-5, 7-12, 14-15, 17-26, and 28-30 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan T Dinh whose telephone number is 703-306-5856. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David L. Talbott can be reached on 703-305-9883. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-1341 for regular communications and 703-305-1341 for After Final communications.

Art Unit: 2827

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

**TD**

August 10, 2002



KAMAND CUNEO  
PRIMARY EXAMINER